

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

AGIS SOFTWARE DEVELOPMENT LLC,  v.  T-MOBILE USA, INC., and T-MOBILE US, INC.	CASE NO. 2:21-cv-00072-JRG (Lead Case)
AGIS SOFTWARE DEVELOPMENT LLC,  v.  LYFT, INC.	CASE NO. 2:21-cv-00024-JRG (Member Case)
AGIS SOFTWARE DEVELOPMENT LLC,  v.  UBER TECHNOLOGIES, INC., d/b/a UBER	CASE NO. 2:21-cv-00026-JRG (Member Case)
AGIS SOFTWARE DEVELOPMENT LLC,  v.  WHATSAPP, INC.	CASE NO. 2:21-cv-00029-JRG (Member Case)

**ORDER GRANTING DEFENDANTS T-MOBILE  
USA, INC. AND T-MOBILE US, INC.’S MOTION TO DISMISS**

Before the Court is Defendants T-Mobile USA, Inc. and T-Mobile US, Inc.’s (collectively “T-Mobile”) Motion to Dismiss the Complaint pursuant to Rule 12(b)(6) (the “Motion”). The Motion seeks dismissal of allegations regarding United States Patent No.

7,031,728 (the “’728 patent”) because asserted claim 7 (and its dependents) are directed to patent-ineligible subject matter under 35 U.S.C. § 101; and dismissal of all asserted patents (United States Patent Nos. 7,031,728, 7,630,724, 9,408,055, 9,445,251, 9,467,838, and 9,749,829 (collectively, the “Asserted Patents”)) for failure to state a claim of (1) direct infringement, (2) joint infringement, (3) indirect infringement, and (4) willful infringement. Having considered the Motion, the Court finds that it should be granted.

Accordingly, the Court **GRANTS** T-Mobile’s Motion to Dismiss. It is therefore **ORDERED** that all infringement claims (direct, joint, indirect, willful) for the Asserted Patents are **DISMISSED WITH PREJUDICE**.

It is further **ORDERED** that all claims asserted for the ’728 patent are **DISMISSED WITH PREJUDICE** for failure to satisfy 35 U.S.C. § 101.